Document #4767

MEMORANDUM June 12, 1986

TO: BOSTON REDEVELOPMENT AUTHORITY AND
STEPHEN COYLE, DIRECTOR

FROM: EDITH M. NETTER, ASSISTANT DIRECTOR FOR LAND USE AND ENVIRONMENTAL POLICY
LINDA BOURQUE, DIRECTOR OF ZONING
JOSEPH WALLING, ZONING OFFICER

SUBJECT: BOARD OF APPEAL REFERRALS

Recommendations on sixteen zoning petitions have been prepared by Authority staff for transmittal to the Board of Appeal.

Categories	Recommendations			
	Approval	Denial	Denial w/o Prejudice	Deferral
Residential conversions	6	2		
Major new housing or rehabilitation				
Residential (building expansions, subdivisions, etc.)	4		1	
Parking; gas stations; repair garages				1
Industrial; chemical storage				
Institutional				
Commercial; office; business	1			
Hotels; restaurants	1			
Signs				

We recommend approval of six residential conversions:

Z-8673. 156A-156 Salem Street, Boston. Four apartments.

Z-8689. 23 M Street, South Boston. Three-family dwelling.

Z-8695. 25 Russell Street, Charlestown. Two-family dwelling.

Z-8696. 96 Appleton Street, Boston. Three-family dwelling.

Z-8697. 851-853 Harrison Avenue, Boston. Four apartments.

Z-8688. 784A-790 Tremont Street, Boston. Six apartments.

ZONM/E/061086/1

We recommend approval of four residential building expansion, subdivision referrals:

Z-8679. 232 Cornell Street, Roslindale. Rear addition.

Z-8693. 76 Waltham Street, Boston. Deck additions.

Z-8821-8822. 30-30R Jamaica Street, Jamaica Plain. Subdivision.

Z-8683. 59 Bellevue Hill Road, West Roxbury. Garage addition.

We recommend approval of one commercial, office, business referral:

Z-8691. 528 Tremont Street, Boston. Agency offices.

We recommend approval of one restaurant referral:

Z-8658. 25 Austin Street, Charlestown. Take-out restaurant.

We recommend denial of two referrals:

Z-8674. 176 L Street, South Boston. Fourth unit inappropriate.

Z-8692. 21 Heldon Street, West Roxbury. Three-family dwelling inconsistent.

We recommend denial without prejudice in one case:

Z-8694. 15 South Fairview Street, Roslindale. Litigation pending.

We recommend deferral of one referral:

Z-8806. 52-56 Harvard Street, Boston. Parking lot.

BOARD OF APPEAL REFERRALS June 12, 1986

		Hearing	
1.	Z-8658	6/24/86	Charlestown Realty Trust 25 Austin Street, Charlestown
2.	Z-8673	6/24/86	Evaristo & Maria Bonetti 156A-156 Salem Street, Boston
3.	Z-8674	6/24/86	John S. Mitro 176 L Street, South Boston
4.	Z-8679	6/24/86	Michael Lennon 232 Cornell Street, Roslindale
5.	Z-8688	6/24/86	Cleo J. Edwards 784A-790 Tremont Street, Boston
6.	Z-8689	6/24/86	Cynthia Hayes 23 M Street, South Boston
7.	Z-8691	6/24/86	Carter Associates, Inc. 528 Tremont Street, Boston
8.	Z-8692	6/24/86	Louis Sahinidis 21 Heldun Street, West Roxbury
9.	Z-8693	6/24/86	Abigail Ackerman & Eliad Waltham 76 Waltham Street, Boston
10.	Z-8694	6/24/86	Konstantinos Frantizis 15 South Fairview Street, Roslindale
11.	Z-8695	6/24/86	John J. Doherty 25 Russell Street, Charlestown
12.	Z-8696	6/24/86	David E. Hale 96 Appleton Street, Boston
13.	Z-8697	6/24/86	Efthemios Georgakakis 851-853 Harrison Avenue, Boston
*14.	Z-8806	6/24/86	Carlo Barresi 52-56 Harvard Street, Boston
15.	Z-8821-8822	6/12/86	Barbara W. Burnham 30-30R Jamaica Street, Jamaica Plain
*16.	8683	6/24/86	Robert Moscaritolo 59 Bellevue Hill Road, West Roxbury

*not included in original submission

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SUBJECT: BOARD OF APPEAL REFERRALS

Hearing: 6/24/86 Z-8658
Charlestown Realty Trust
25 Austin Street
Charlestown

Site: Bunker Hill Mall

District(s): General business (B-2)

Purpose: Change occupancy to take-out restaurant and retail stores.

Violation(s): Take-out restaurant is conditional use.

VOTED: In reference to petition Z-8658, Charlestown Realty Trust, 25 Austin Street, Charlestown, for conditional use for change of occupancy from offices to take-out restaurant and retail stores in a general business (B-2) district, the Boston Redevelopment Authority recommends approval. Proposed Kentucky Fried Chicken franchise will occupy former office space in the Bunker Hill Mall. Seating will accommodate approximately 54 patrons. Restaurant will front existing parking lot but will not contain a drive-thru window.

Z-8658 25 AUSTIN ST. CHARLESTOWN

2

Board of Appeal Referrals 6/12/86

Hearing: 6/24/86

Z-8673
Evaristo & Maria Bonetti
156A-156 Salem Street
Boston

Site: Four-story structure

District(s): Local business (L-2)

Purpose: Change occupancy to four apartments.

Violation(s): Dwelling converted for more families is forbidden use.

Insufficient open space.

VOTED: In reference to petition Z-8673, Evaristo & Maria Bonetti, 156A-156 Salem Street, Boston, for conditional use and variance for change of occupancy to four apartments in a local business (L-2) district, the Boston Redevelopment Authority recommends approval with proviso that plans with respect to first floor facade be submitted to the Authority for design review approval. No record of legal occupancy. Existing three-family dwelling and a street-level store which would be converted to a residential apartment. Proposal consistent with surrounding properties.

Z-8673 156-156A SALEM ST. BOSTON

Board of Appeal Referrals 6/12/86

Hearing: 6/24/86

Z-8674
John S. Mitro
176 L Street
South Boston

Site: Three-story structure

District(s): Apartment (H-1-50)

Purpose: Change occupancy from three- to four-family dwelling.

Violation(s): Dwelling converted for more families is forbidden use.

Insufficient lot area and open space.

Excessive floor area ratio.

VOTED: In reference to petition Z-8674, John S. Mitro, 176 L Street, South Boston, for forbidden use and three variances for change of occupancy from three- to four-family dwelling in an apartment (H-1-50) district, the Boston Redevelopment Authority recommends denial. Properties along L Street are primarily three-family homes; no four-family dwellings exist in the immediate vicinity. Conversion would create an unwanted precedent. Additionally, a severe parking problem currently afflicts the heavily traveled street.

Z-8674 176 L ST. SOUTH BOSTON

4

Board of Appeal Referrals 6/12/86

Hearing: 6/24/86

Z-8679
Michael Lennon
232 Cornell Street
Roslindale

Site: 2½-Story structure

District(s): Residential, two-family (R-.5)

Purpose: Erect one-story rear addition to two-family dwelling.

Violation(s): Insufficient side yard.

VOTED: In reference to petition Z-8679, Michael Lennon, 232 Cornell Street, Roslindale, for variance to erect one-story rear addition to two-family dwelling in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval with proviso that plans be submitted to the Authority for design review approval. Second floor bedroom addition. The yard violation is existing, technical, and minimal (two feet).

Z-8679 232 CORNELL ST. ROSLINDALE
AVERTON
MARIA
LANE
METROPOLITAN
AVENUE
WELLSMERE
STREET
DENTON
TER.
TERRACE
WELLSMERE
PARK
ROAD
CEDRUS
STREET
EUGENIA
RD.
PHINEAS BATES
ELEMENTARY SCHOOL
BEECHLAND
AVE.
GLENDOWER
KITTREDGE
HENNAN

Board of Appeal Referrals 6/12/86

Hearing: 6/24/86

Z-8688
Cleo J. Edwards
784A-790 Tremont Street
Boston

Site: 3½-Story structure

District(s): Local business (L-2)

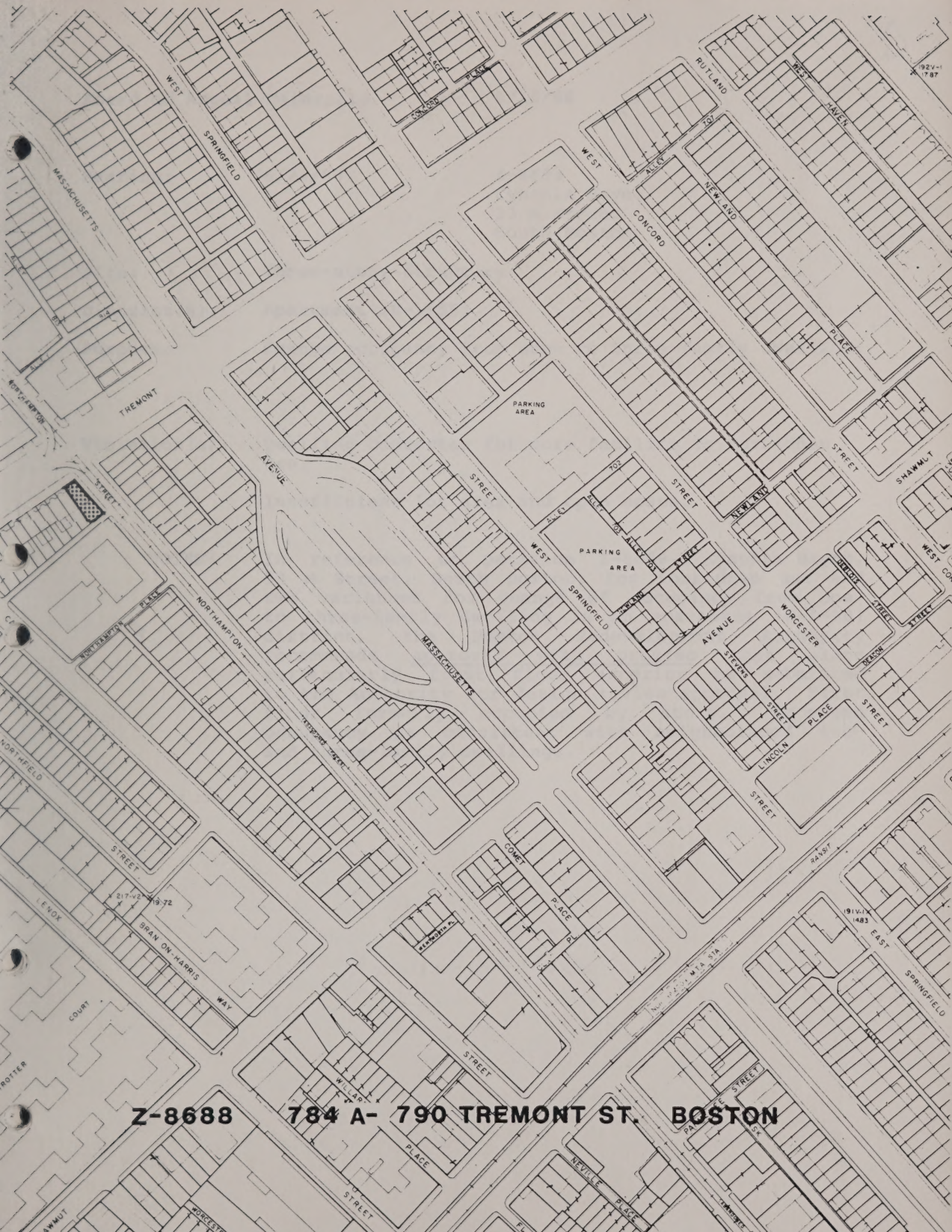
Purpose: Legalize occupancy as six apartments and three stores.

Violation(s): Dwelling converted for more families is forbidden use.

Excessive floor area ratio.

Insufficient open space.

VOTED: In reference to petition Z-8688, Cleo J. Edwards, 784A-790 Tremont Street, Boston, for forbidden use and two variances to legalize occupancy for six apartments and three stores in a local business (L-2) district, the Boston Redevelopment Authority recommends approval with the following provisos: that the appellant review plans with the Chester Square Neighborhood Association; that plans be submitted to the Authority for design review approval. No record of legal occupancy. Residential-commercial uses consistent with character of South End neighborhood.



Z-8688 784 A- 790 TREMONT ST. BOSTON

Board of Appeal Referrals 6/12/86

Hearing: 6/24/86

Z-8689
Cynthia Hayes
23 M Street
South Boston

Site: Three-story structure

District(s): Apartment (H-1-50)

Purpose: Change occupancy from one- to three-family dwelling.

Violation(s): Dwelling converted for more families is forbidden use.

Insufficient lot area and open space.

VOTED: In reference to petition Z-8689, Cynthia Hayes, 23 M Street, South Boston, for forbidden use and two variances for change of occupancy from one- to three-family dwelling in an apartment (H-1-50) district, the Boston Redevelopment Authority recommends approval with proviso that plans particularly first floor exterior be submitted to the Authority for design review approval. First floor formerly occupied by store. Proposed occupancy is consistent with neighborhood two- and three-family dwellings.

Z-8689 23 M ST. SOUTH BOSTON

7

Board of Appeal Referrals 6/12/86

Hearing: 6/24/86 Z-8691
Carter Associates, Inc.
528 Tremont Street
Boston

Site: 4½-Story structure

District(s): Apartment (H-3)

Purpose: Change occupancy from three apartments and two stores to three apartments, two offices, and store.

Violation(s): Agency office is forbidden use.

VOTED: In reference to petition Z-8691, Carter Associates, Inc., 528 Tremont Street, Boston, for forbidden use for change of occupancy from three apartments and two stores to three apartments, two offices, and store in an apartment (H-3) district, the Boston Redevelopment Authority recommends approval with proviso that plans be submitted to the Authority for design review approval. Compatible with mixed residential-local business nature of South End area. Eight Streets Neighborhood Association has expressed support for this project.

Z-8691 528 TREMONT ST. BOSTON

GAZENOVE STREET
ST CHARLES STREET
STREET
STREET
COMPTON
GRAY
STREET
AVENUE
ALBION
VILLAGE
PLACE
ALLEY
DWIGHT
MILFORD
PLAYGROUND
STREET
STREET
HANSON
UNION PK.
WALTHAM
STREET
TAYLOR STREET
STREET
BOND
STREET
UNION
RINGGOLD
STREET
STREET
UPTON
STREET
ALLEY
PARK
WEST
DEDHAM
DRAPERS
FABIAN
LANE
STREET
STREET
BRADFORD
Z-8691 528 TREMONT ST. BOSTON

8

Board of Appeal Referrals 6/12/86

Hearing: 6/24/86

Z-8692
Louis Sahinidis
21 Heldun Street
West Roxbury

Site: 2½-Story structure

District(s): Single-family (S-.5)

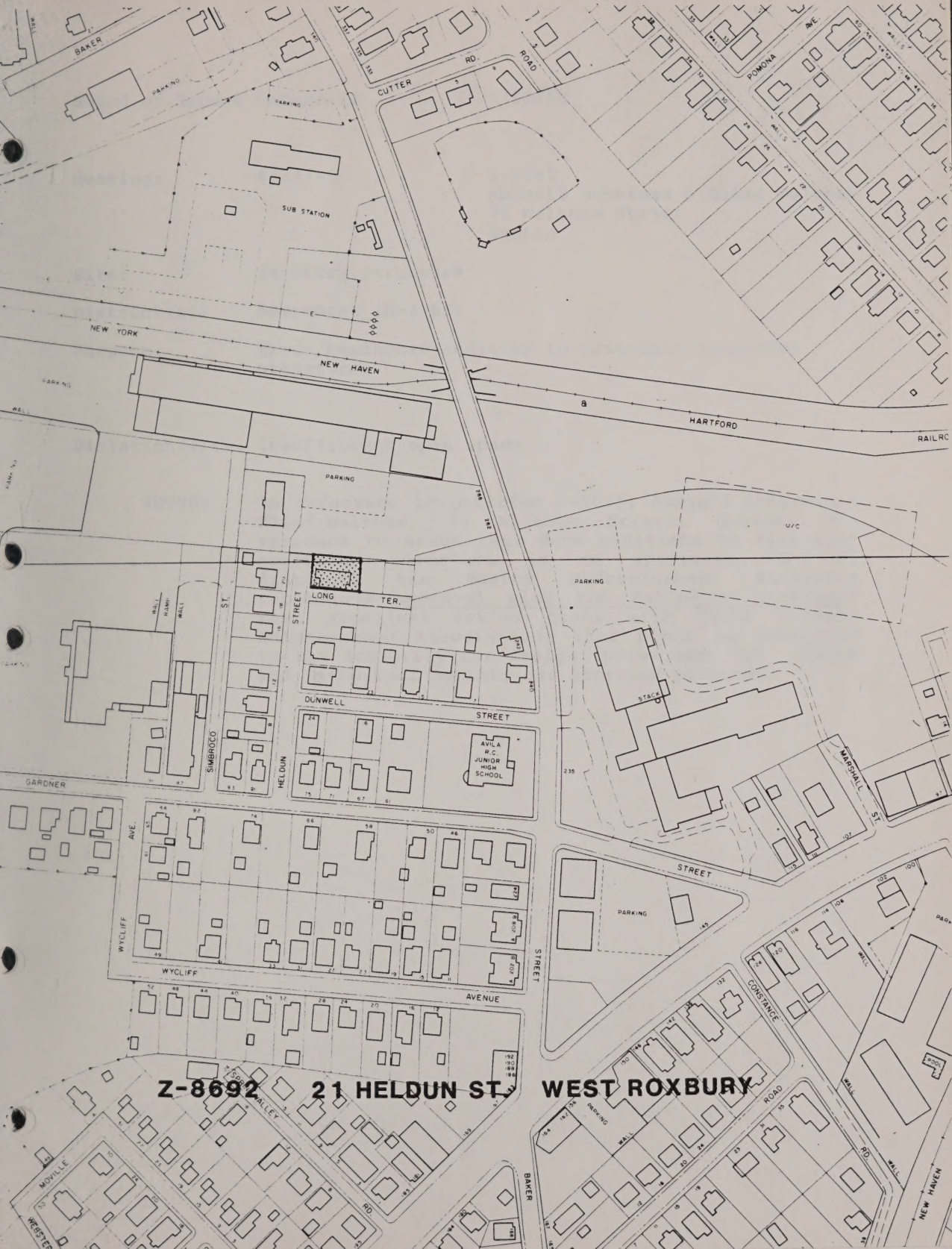
Purpose: Change occupancy to three-family dwelling.

Violation(s): Dwelling converted for more families is forbidden use.

Insufficient lot area.

Excessive floor area ratio and building height.

VOTED: In reference to petition Z-8692, Louis Sahinidis, 21 Heldun Street, West Roxbury, for forbidden use and three variances for change of occupancy to three-family dwelling in a single-family (S-.5) district, the Boston Redevelopment Authority recommends denial. Existing two-family dwelling. Proposed three-family occupancy is inappropriate and inconsistent with predominantly single-family neighborhood and would tend to create an unwelcome precedent.



Z-8692 21 HELDUN ST. WEST ROXBURY

Board of Appeal Referrals 6/12/86

Hearing: 6/24/86

Z-8693
Abigail Ackerman & Eliad Waltham
76 Waltham Street
Boston

Site: 3½-Story structure

District(s): Apartment (H-3-65)

Purpose: Erect headhouse addition to five-unit apartment structure.

Violation(s): Insufficient open space.

VOTED: In reference to petition Z-8693, Abigail Ackerman & Eliad Waltham, 76 Waltham Street, Boston, for variance to erect rear deck additions to five-unit apartment structure in an apartment (H-3-65) district, the Boston Redevelopment Authority recommends approval with the following provisos: that appellant review plans with Eight Streets Neighborhood Association; that plans be submitted to the Authority for design review approval. South End Historical Society has approved proposal.

Z-8693 76 WALTHAM ST. BOSTON

Board of Appeal Referrals 6/12/86

Hearing: 6/24/86 Z-8694
Konstantinos Frantizis
15 South Fairview Street
Roslindale

Site: 2½-Story structure

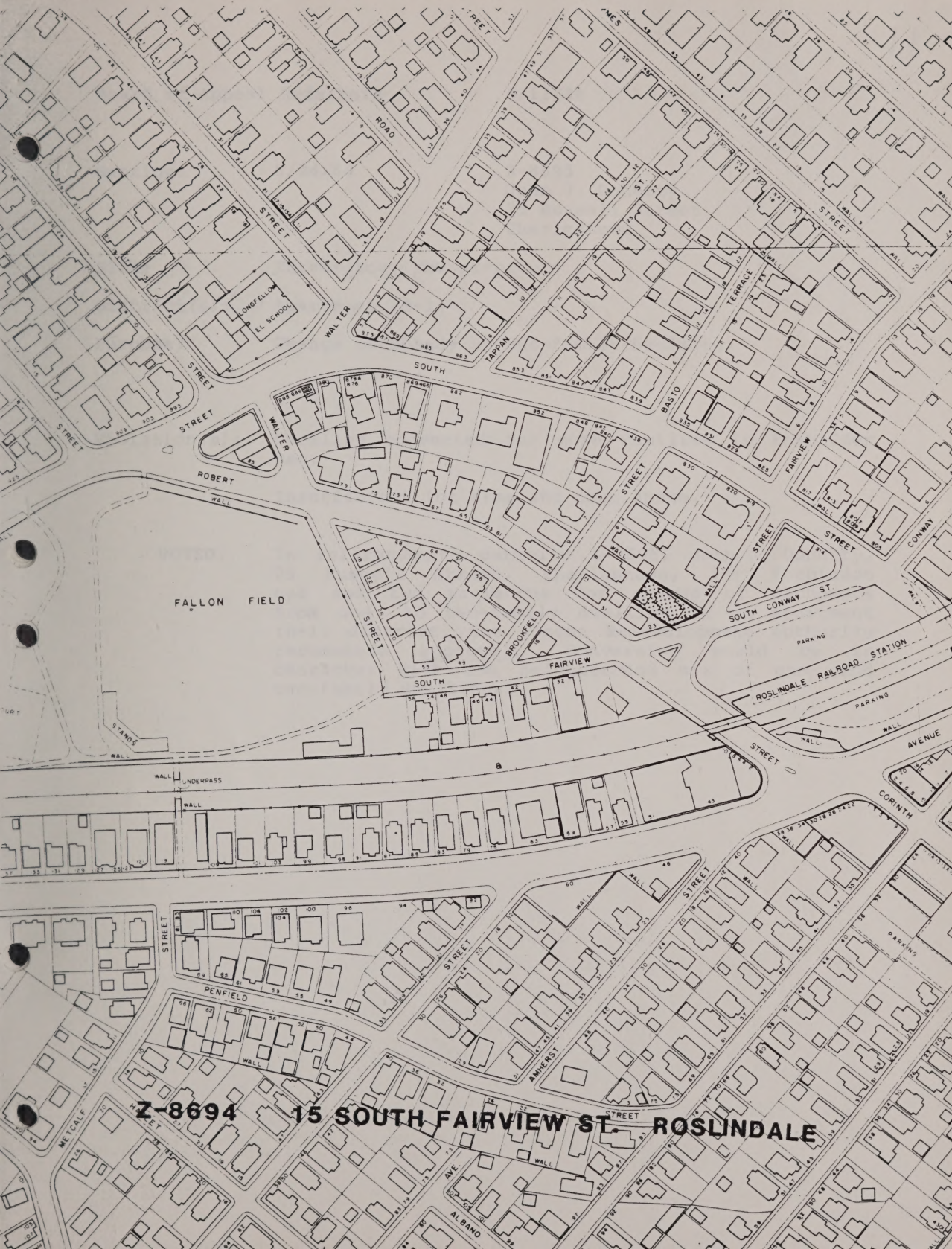
District(s): Residential, two-family (R-.5)

Purpose: Erect one-story sie addition to three-family dwelling.

Violation(s): Extension of nonconforming use.

Insufficient side yard.

VOTED: In reference to petition Z-8694, Konstantinos Frantizis, 15 South Fairview Street, Roslindale, for extension of nonconforming use and variance to erect one-story side addition to three-family dwelling in a residential (R-.5) district, the Boston Redevelopment Authority recommends denial without prejudice. Inspectional Services Department violation for failure to secure permit for addition to right side of dwelling is scheduled for hearing in housing court on July 2. Until pending litigation is resolved, no action should be taken on current proposal.



Z-8694 15 SOUTH FAIRVIEW ST. ROSLINDALE

Board of Appeal Referrals 6/12/86

Hearing: 6/24/86

Z-8695
John J. Doherty
25 Russell Street
Charlestown

Site: Three-story row structure

District(s): Apartment (H-1)

Purpose: Change occupancy to two-family dwelling.

Violation(s): Dwelling converted for more families is forbidden use.

Insufficient lot area and open space.

VOTED: In reference to petition Z-8695, John J. Doherty, 25 Russell Street, Charlestown, for forbidden use and two variances for change of occupancy from one- to two-family dwelling in an apartment (H-1) district, the Boston Redevelopment Authority recommends approval. Conversion would be in character with the neighborhood mix of one- and two-family dwellings.

ENS. JOHN J. DOHERTY PLAYGROUND
BUNKER HILL STREET
MEAD PLAYGROUND
PLAYGROUND
HANCOCK SQUARE
WALL STREET
BARTLETT STREET
PEARL STREET
SALEM STREET
SULLIVAN STREET
FRANKLIN STREET
WALKER STREET
HIGH STREET
RUSSELL STREET
AUBURN STREET
OAK STREET
EDEN STREET
SOUTH STREET
LINCOLN STREET
FRANKLIN AVENUE
TOWN WAY
FRANKLIN
AUTHORITY
TEXACTAL
METROPOLITAN
CEMETERY
BELLMONT
SACKVILLE
SHEAFE ST.
COOK ST.
ALLSTON
MEDFORD
NORTH MEAD
WOODS PL.
BISCOE PL.
LAWNWOOD PLACE
SUMMER ST.
ELM
PHIPPS STREET CEMETERY
PHIPPS
LAWRENCE
STACEY
DUNSTABLE
FROTHINGHAM
SCHOOL
NATHAN
Z-8695 25 RUSSELL ST. CHARLESTOWN

12

Board of Appeal Referrals 6/12/86

Hearing: 6/24/86 Z-8696
David E. Hale
96 Appleton Street
Boston

Site: 2½-Story structure

District(s): Apartment (H-3)

Purpose: Legalize occupancy as three apartments.

Violation(s): Insufficient open space.

VOTED: In reference to petition Z-8696, David E. Hale, 96 Appleton Street, Boston, for variance to legalize occupancy for three apartments in an apartment (H-3) district, the Boston Redevelopment Authority recommends approval with the following proviso: that plans be reviewed by the Ellis Neighborhood Association. No record of legal occupany. Existing three-family dwelling.

Z-8696 96 APPLETON ST. BOSTON

Board of Appeal Referrals 6/12/86

Hearing: 6/24/86 Z-8697
Efthemios Georgakakis
851-853 Harrison Avenue
Boston

Site: Three-story structure

District(s): Manufacturing (M-1)

Purpose: Legalize occupancy for four apartments and store.

Violation(s): Multifamily dwelling is conditional use.

VOTED: In reference to petition Z-8697, Efthemios Georgakakis, 851-853 Harrison Avenue, Boston, for conditional use to legalize occupancy as four apartments and store in a manufacturing (M-1) district, the Boston Redevelopment Authority recommends approval with the following proviso: that appellant review plans with Worcester Square Neighborhood Association. Existing condition at time of purchase.

Z-8697 851-853 HARRISON AVE. BOSTON
PARKING
PARKING
PARKING
JM & JJ SULLIVAN PLAYGROUND
FELLOWS PL
RANDALL ST
EAST LENOX STREET
NEWCOMB ST
M. BURN PLACE
THORNDIKE
FAIRWEATHER ST
LENOX COURT
FILTON STREET
FALCON COURT
CONNOLLY ST
PIKE ST
PERCH ST
CAROLINA ST
AARON PLACE
YEOMAN ST
REEDS CT
CHADWICK
WEBBER
FELLOWS
SPRING ST
DAYTON AVE
FREMONT AVE
SEATRICE ST
ALBANY ST
AMES ST
ORCHARD PARK
KEMBLE
REED
TEADWELL COURT
MALL

Board of Appeal Referrals 6/12/86

Hearing: 6/24/86 Z-8806
Carlo Barresi
52-56 Harvard Street
Boston

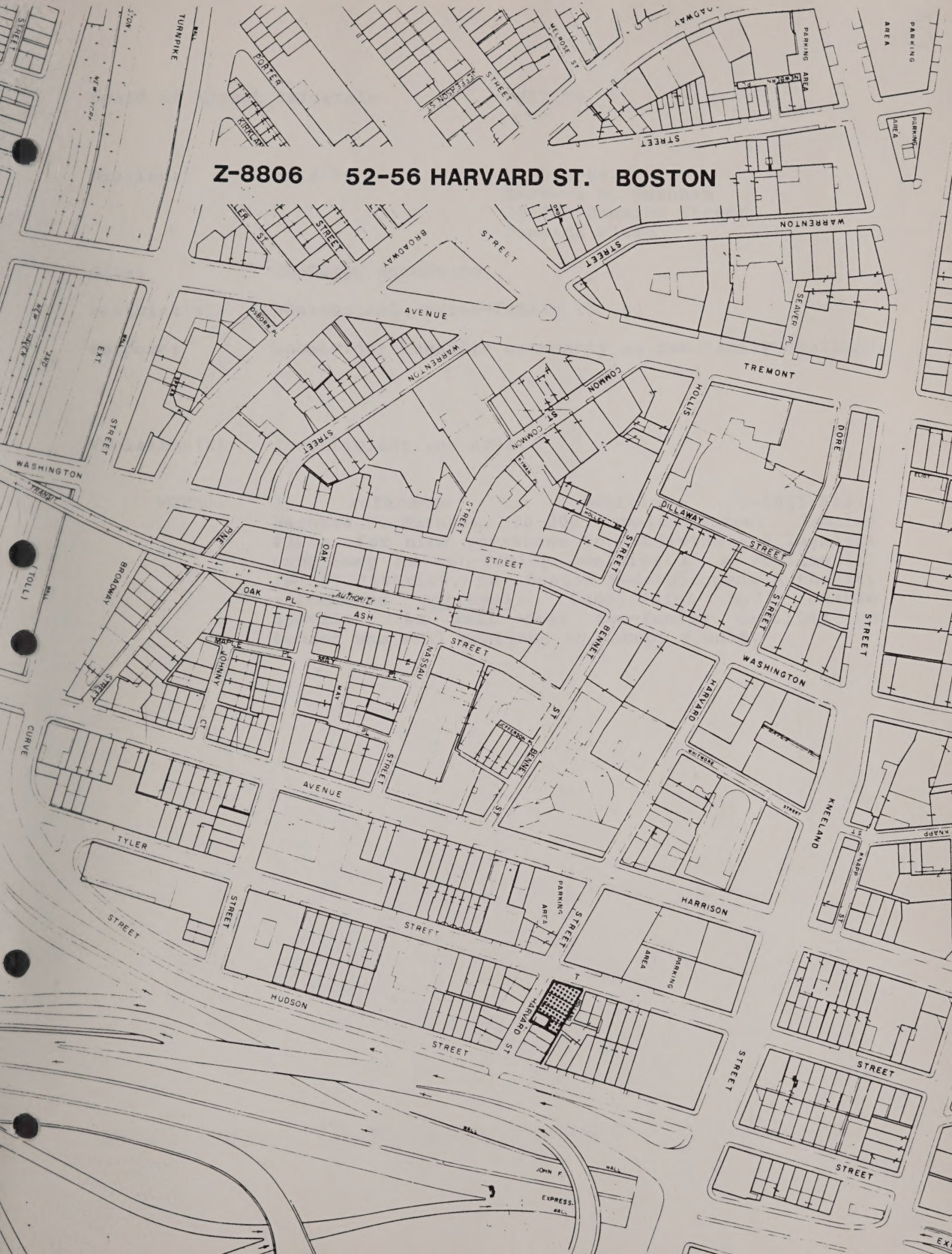
Site: Parking lot

District(s): General business (B-8)

Purpose: Continue use of parking lot for fee for 28 cars.

Violation(s): At variance with previous Board of Appeal decision.

VOTED: In reference to petition Z-8806, Carlo Barresi, 52-56 Harvard Street, Boston, for variance to continue use of parking lot for fee for 28 cars in a general business (B-8) district, the Boston Redevelopment Authority recommends deferral of hearing until appellant meets with community to address their concerns.


Z-8806 52-56 HARVARD ST. BOSTON
TURNIPKE
PORTER
STREET
BROADWAY
AVENUE
WARRENTON
TREMONT
SEAVER PL
COMMON
HOLLIS
DORE
DILLAWAY
WASHINGTON
OAK
PINE
ASH
MAPLE PL
MAY
MASSU
BENNET
HARVARD
KNEELAND
TYLER
HARRISON
HUDSON
PARKING AREA
CURVE
TOLL
EXPRESS-

Board of Appeal Referrals 6/12/86

Hearing: 6/12/86 Z-8821-8822
Barbara W. Burnham
30-30R Jamaica Street
Jamaica Plain

Site: 2½-Story structure

District(s): Residential, three-family (R-.8)

Purpose: Subdivide; legalize occupancy as two-family dwelling.

Violation(s): Insufficient lot area.

VOTED: In reference to petitions Z-8821-8822, Barbara W. Burnham, 30-30R Jamaica Street, Jamaica Plain, for nine variances to subdivide and legalize occupancy as two-family dwelling in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval. Subdivision will enable appellant to sell rear two-family dwelling to tenant who will continue to occupy a unit.

Z-8821-8822 30-30r JAMAICA STREET JAMAICA PLAIN

Board of Appeal Referrals 6/12/86

Hearing: 6/24/86

Z-8683
Robert Moscaritolo
59 Bellevue Hill Road
West Roxbury

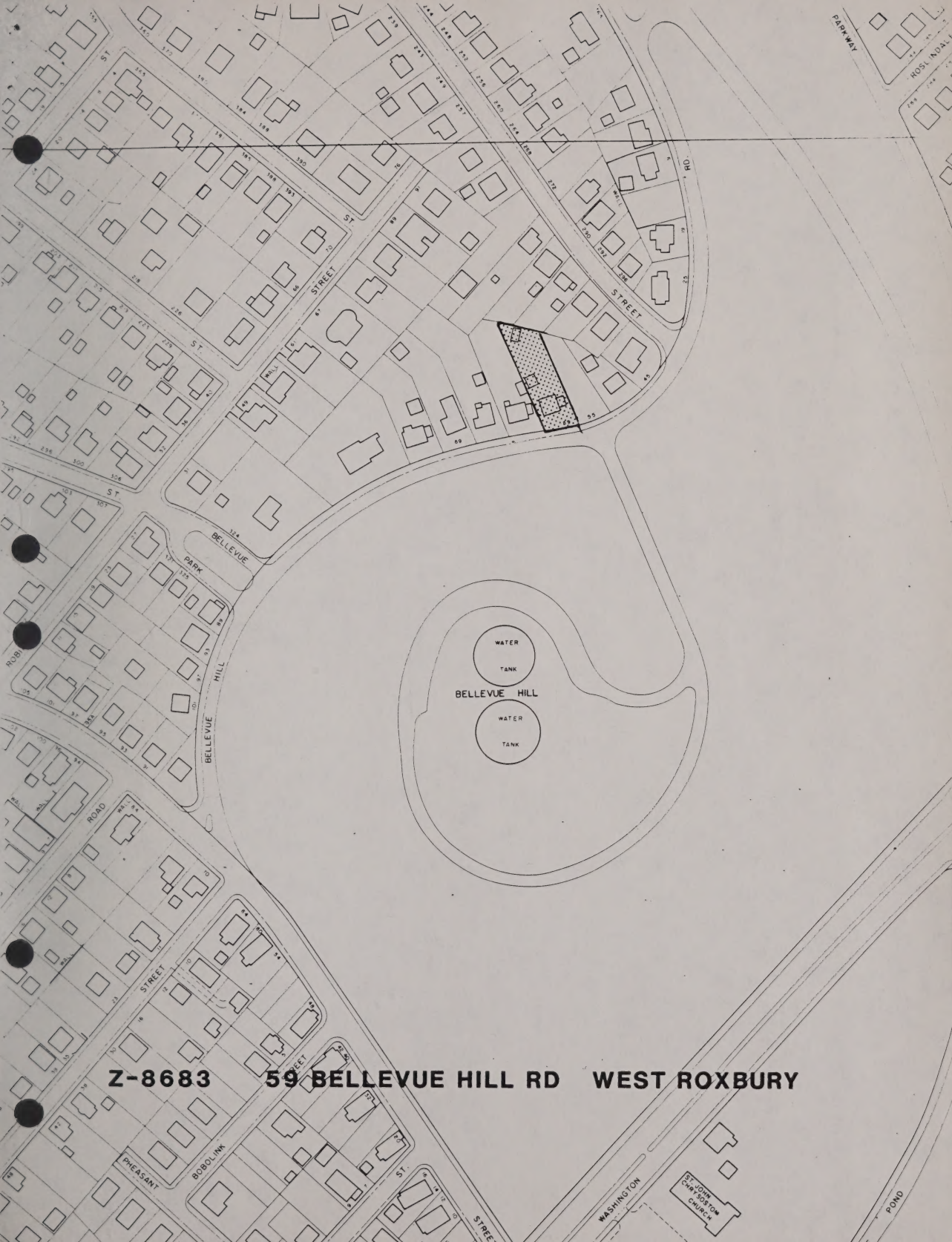
Site: 2½-Story structure

District(s): Single-family (S-.3)

Purpose: Erect two-story garage-living room addition to one-family dwelling.

Violation(s): Insufficient side yard and parking design.

VOTED: In reference to petition Z-8683, Robert Moscaritolo, 59 Bellevue Hill Road, West Roxbury, for two variances to erect two-story garage-living room addition to one-family dwelling in a single-family (S-.3) district, the Boston Redevelopment Authority recommends approval **only** with the following provisos: that addition be moved 4½ feet to the east; that plans be submitted to the Authority for design review approval. Moving the addition will eliminate side yard violation and impact on abutters.



Z-8683 59 BELLEVUE HILL RD WEST ROXBURY